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FROM AMBASSADOR BOLTON

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TAGS: [KUNR](#) [PHUM](#) [PREL](#) [UNGA](#)
SUBJECT: HUMAN RIGHTS COUNCIL: WHY THE U.S. SHOULD NOT SEEK
ELECTION

Classified By: AMBASSADOR JOHN R. BOLTON FOR REASONS 1.4(b) AND (d)

¶1. (C) Summary and Comment: After having voted "no" on the resolution establishing the Human Rights Council due to its inadequate provisions to prevent human rights violators from becoming members, USUN believes U.S. interests are best served by sitting out the first election for membership. A decision to run in the first election risks a nightmare scenario in which we are voted down while violators are elected - with almost certain implications for a Congressional backlash against the HRC by withholding our assessed contribution to the Council. Potential negative implications for the broader UN reform efforts also strongly counsel against running this year. Until the U.S. can ensure its election and the HRC demonstrates it is a markedly different body than the Commission it replaced, we recommend taking a cooperative approach to the Council, but from a distance. End Summary.

¶2. (C) With the first HRC elections scheduled only six weeks away on May 9, 24 countries have so far declared their candidatures for the new 47-member body. Informal soundings by USUN indicate that a U.S. candidacy would face serious handicaps and a prospect of failure, with potentially devastating repercussions. With voting taking place for the Council by secret ballot, even close supporters like the UK tell us victory would be far from guaranteed and agree that the risk of a U.S. loss would be potentially devastating. We have taken a principled stand in voting against the HRC primarily because of the prospect that gross violators of human rights would still be elected to the body, replicating the fundamental failing of the Commission in Geneva. Although we risk losing some level of influence over the establishment of the body's working methods in its first year, we would still be able to influence matters through our friends on the Council and use the leverage of our eventual membership as a condition for establishing good procedures.

¶3. (SBU) Owing to the short time available for member states to declare and campaign for HRC elections, USUN believes that many regional groups will most likely be unable to present a "clean slate" of candidates to fit the number of vacancies allocated regionally. Should any region be able to present a clean slate, the outcome will probably be a virtual acclamation for that region. In the 13-seat Asian Group, for example, only three candidates have come forward, including Bangladesh, Iraq and Saudi Arabia. At this time, countries are busily engaged in ferreting out vote swapping opportunities - not just among candidates in the HRC short-term contest, but more and more among candidatures of other elections, including for the Peacebuilding Commission and ECOSOC.

¶4. (C) From a technical point of view, the U.S. has always

been disadvantaged in the UN by our principled practice of not entering into vote swapping arrangements. In general, this means that we have had to win our seats on the merits of our candidature and well-focused, concerted campaigns, which take time to create and execute, particularly in crucial efforts with capitals. In the case of the HRC, the U.S. is additionally handicapped by our "no" vote on the GA resolution that created this new institution. Our rejection of the terms of creation of the HRC continues to resonate strongly in the UN and to undermine our standing and credibility as a potential candidate - even among friends. At an ECOSOC meeting on March 22, for example, which was called to consider a brief resolution to terminate the Commission on Human Rights, Tanzania gently cautioned the U.S. Delegation not to speak. Tanzania's seasoned Deputy Permanent Representative, who is a helpful collaborator, cautioned the USDel to wait for a discreet period before articulating views on an institution that we had rejected by vote. Ambassador Manongi counseled, "You need to wait until the dust has settled before you engage on the HRC."

15. (SBU) This is a recurrent message we have received both overtly and obliquely from other allies. Regarding WEOG, which has seven seats on the HRC, five candidates have already declared, including Switzerland, Germany, France, Finland and the U.K. Other WEOG countries that are likely to join the race are Belgium, Spain, Canada, Australia and Austria. These five possible additions would swell the WEOG field to ten. A U.S. candidacy would boost the potential total to eleven - for only seven vacancies. WEOG has scheduled a meeting on March 27 to consider additional candidatures.

16. (C) For these and other reasons, USUN believes a potential U.S. candidacy this first year would be far from assured of a successful outcome in a secret vote, and it would be imprudent. There is a strong rationale for letting the dust settle. GA Resolution 60/251, which established the HRC on March 15, falls short of the institutional safeguards we consistently sought to mitigate politicization and ameliorate human rights on the ground. Consistent with the U.S. decision to vote no, we believe we now need to allow time for the HRC to gain its legs without direct U.S. participation. In the first year, we can play a most effective role by offering strong financial and moral support from a front row seat on the sidelines.
BOLTON